

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 21, 2002

DIVISION ONE

B141521 CIBC Oppenheimer Corp. et al. (Not for Publication)
 v.
 Friedman

We strike the portion of the judgment confirming the award of sanctions against Friedman. In all other respects, we affirm the judgment. Friedman is entitled to his costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

B151791 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Ana E.
 Mayra E., a minor

The judgment (order terminating parental rights) is affirmed.

Ortega, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

February 21, 2002-Continued

DIVISION ONE (Continued)

B146840 Patterson (Not for Publication)
v.
City of South El Monte
Otaky et al.

We affirm the judgment and the sanctions order. We deny the Otaky's request for appellate sanctions. The Otakys are entitled to their costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
Mallano, J.

B145865 Presta (Not for Publication)
v.
Presta-Hoos

The order is affirmed. Presta is entitled to his costs of appeal

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION TWO

B149426 People
v.
Tafoya

Filed order denying petition for rehearing.

DIVISION THREE

B153002 City of Los Angeles
 v.
 Superior Court, Los Angeles County
 (Clinton Davenport, r.p.i.)

Filed order modifying opinion. (Change in judgment)

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and S. Veverka, Deputy Clerk.

Each of the following:

B149475 D.C.F.S. v. Naomi S.
B144460 Burge v. Fisher
B155397 Marcia M., et al. v. S.C.L.A. (D.C.F.S.)

Argument waived, cause submitted.

B143125 Simon
 v.
 Seone et al.

Merits:
Argued by Robert D. Jarchi for appellant and by Rita Gunasekaran for respondent. Cause submitted.

B146020 Dubin
 v.
 Chesebrough Trust et al.

Merits:
Argued by Patrick Mortimer for appellant and by Rita Gunasekaran for respondent. Cause submitted.

DIVISION FOUR (Continued)

B132661 People v. Stacy
B143115 In re Stacy on Habeas Corpus

Merits:

Argued by Fred Klink for appellant and by Robert Berke for respondent.
Cause submitted.

B123313 American Airlines
v.
Sheppard, Mullin, Richter & Hampton et al.

Merits:

Argued by Kurt L. Schmalz for appellant and by Brad D. Brian for
respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and S. Veverka, Deputy
Clerk.

Each of the following:

B151790 D.C.F.S. v. Jeronimo A.
B151069 D.C.F.S. v. Michael G., et al.
B151311 People v. Perry

Argument waived, cause submitted.

DIVISION FOUR (Continued)

B152010 People
 v.
 Eddie V.

Merits:
Argued by Edward J. Haggerty for appellant and by Rori M. Ridley for
respondent. Cause submitted.

B149033 Israel
 v.
 Robinson

Merits:
Argued by Adam J. Telanoff for appellant and by Rene Tovar for
respondent. Cause submitted.

B141612 De La Cruz et al.
 v.
 City of Los Angeles

Merits:
Argued by Charles Schoemaker, Jr. for appellants and by Janet G. Bogigian
for respondent. Cause submitted.

Court Adjourned.

DIVISION FIVE

B150458 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Winnetka C.

The judgment is affirmed.

Mosk, J.

We concur: Grignon, Acting P.J.
 Armstrong, J.

February 21, 2002-Continued

DIVISION FIVE (Continued)

[illegible]

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Grignon, J.

DIVISION SIX

B149194 Castillo (Not for Publication)
v.
Bishop Garcia Diego High School

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B151631 People (Not for Publication)
v.
Coley

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION EIGHT

B145314 Eshraghi (Not for Publication)
v.
Ashoorian

The judgment is reversed only to the extent it determined that husband made and forgave a loan of community property funds to the parties' son and ordered husband to repay half the loan amount. The matter is remanded to the trial court with directions to enter a new and different judgment which omits the order for repayment of the loan. In all other respects, the judgment is affirmed. Respondent to recover her costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

[illegible]

The judgment is affirmed. Respondents to recover their costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.

DIVISION EIGHT (Continued)

B155823 Carolynn Caffrey Gabriel, (Not for Publication)
 O.D., a Professional Corp.
 v.
 Superior Court, Los Angeles County
 (Tony Chahine, O.D., et al., r.p.i.)

The Court:

We have followed the procedures and given the notice described in *Palma v. U.S. Industrial Fasteners, Inc.*, supra, 36 Cal.3d at pages 177-183. No factual issues are disputed, the legal error is clear, and the matter should be expedited. Thus, a peremptory writ in the first instance is appropriate. (§1088; *Alexander v. Superior court* (1993) 5 Cal.4th 1218, 1222-1223; *Ng v. Superior court* (1992) 4 Cal.4th 29, 35.) Gabriel's petition is granted. Let a peremptory writ of mandate issue directing the respondent court to vacate its order of January 8, 2002 rejecting Gabriel's peremptory challenge, and instead, to accept it and cause the case to be assigned to another judge. The stay we previously issued is lifted. Gabriel is awarded its costs.